

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

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U.S. DISTRICT COURT
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UNITED STATES OF AMERICA

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BY

J. Ray

V.

* 4:59 P.M., AUGUST 27, 2001

*

KOREY JAWAIN JACKSON AND

*

JOSEPH FRANKLIN SMITH

* BEAUMONT, TEXAS

VOLUME 1 OF 1, PAGES 1 THROUGH 16
REPORTER'S TRANSCRIPT OF JURY TRIAL EXCERPT
TESTIMONY OF ROLAND KULISH
BEFORE THE HONORABLE RICHARD A. SCHELL
UNITED STATES DISTRICT AND A JURY

APPEARANCES:

FOR THE GOVERNMENT:

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PROCEEDINGS REPORTED USING COMPUTERIZED STENOTYPE, TRANSCRIPT
PRODUCED VIA COMPUTER-AIDED TRANSCRIPTION.

1 4:59 P.M.

AUGUST 27, 2001

2 [OPEN COURT, ALL DEFENDANTS PRESENT]

3 THE COURT: OKAY. MEMBERS OF THE JURY, ROLAND
4 KULISH HAS ALREADY BEEN SWORN IN, TOO.

5 DIRECT EXAMINATION OF ROLAND KULISH

6 BY MS. BATSON:

7 Q. STATE YOUR NAME FOR THE RECORD, PLEASE.

8 A. ROLAND P. KULISH.

9 Q. MR. KULISH, HOW ARE YOU EMPLOYED, SIR?

10 A. I'M SELF-EMPLOYED AS A FIREARMS STORE DEALER/OPERATOR.

11 Q. OKAY. AND YOU OWN YOUR SHOP; IS THAT CORRECT?

12 A. YES, MA'AM. I OWN MY GUN STORE, YES, MA'AM.

13 Q. WHAT'S THE NAME OF YOUR GUN STORE?

14 A. GUN HUNTER TRADING COMPANY OF BEAUMONT.

15 Q. AND HOW LONG HAVE YOU BEEN SELLING FIREARMS?

16 A. THIRTY-ONE YEARS. WE BEGAN IN THE FALL OF 1970.

17 Q. OKAY. AND, SO, YOU'RE VERY FAMILIAR WITH FIREARMS; IS
18 THAT CORRECT?

19 A. YES, MA'AM. I TRY BE.

20 Q. OKAY. THIRTY-ONE YEARS OF DEALING WITH THEM GIVES YOU
21 SOME KNOWLEDGE.

22 A. YES, MA'AM.

23 Q. ALL RIGHT. MR. KULISH, WERE YOU VISITED BY CLIFF ORR, A
24 DETECTIVE WITH THE BEAUMONT POLICE DEPARTMENT --

25 A. YES, MA'AM.

1 Q. -- REGARDING THIS PARTICULAR CASE?

2 A. YES, MA'AM.

3 Q. AND WHEN HE VISITED WITH YOU, WHAT DID HE BRING YOU?

4 A. HE BROUGHT ME A CLIP AND A HOLSTER.

5 Q. OKAY. I'M GOING TO SHOW YOU WHAT'S BEEN MARKED AS
6 GOVERNMENT'S EXHIBIT 16 AND GOVERNMENT'S EXHIBIT 11. FIRST
7 STARTING OUT WITH GOVERNMENT'S EXHIBIT 11, IS THAT THE
8 HOLSTER?

9 A. YES, MA'AM.

10 Q. OKAY.

11 A. AND THE CLIP WAS STUCK IN IT, JUST EXACTLY LIKE THIS,
12 WHEN HE HANDED IT TO ME.

13 Q. OKAY. AND WHAT ABOUT GOVERNMENT'S EXHIBIT 16?

14 A. THAT IS THE CLIP THAT I WAS SHOWN AND ASKED TO IDENTIFY.

15 Q. OKAY. AND, NOW, BASED ON YOUR TRAINING AND EXPERIENCE,
16 MR. KULISH, WHEN YOU LOOKED AT THAT MAGAZINE CLIP, WERE YOU
17 ABLE TO DETERMINE AT THAT TIME WHAT TYPE OF FIREARM IT WENT
18 TO?

19 A. YES, MA'AM. I WAS VERY FAMILIAR WITH THE MAGAZINE.

20 Q. OKAY. AND IN LOOKING AT THAT CLIP, WHAT WAS YOUR
21 DETERMINATION OR WHAT WAS YOUR OPINION?

22 A. IT WAS -- IT BELONGED TO A BRYCO JENNINGS 9-MILLIMETER.
23 THIS IS A HIGH-CAPACITY MAGAZINE.

24 Q. OKAY. AND HOW WERE YOU ABLE TO MAKE THAT DETERMINATION,
25 SIR?

1 A. BY PRIOR SALES, PRIOR SALES IN HANDLING THE WEAPON.

2 Q. OKAY. AND YOU WERE ABLE JUST TO LOOK AT THAT MAGAZINE
3 AND QUICKLY DETERMINE WHAT TYPE OF FIREARM?

4 A. YES, MA'AM. IN HIS HAND I COULD TELL WHAT IT WAS.

5 Q. OKAY. AND IS THAT MAGAZINE -- IS THAT SPECIFIC TO THIS
6 TYPE OF FIREARM --

7 A. YES, MA'AM.

8 Q. -- THAT YOU JUST DESCRIBED?

9 A. IT IS PROPRIETARY, FITS ONLY THAT GUN.

10 Q. OKAY. NOW I'M GOING TO SHOW YOU WHAT'S BEEN MARKED AS
11 GOVERNMENT'S EXHIBIT 10. AND THIS IS ACTUALLY A FIREARM FROM
12 YOUR STORE; IS THAT CORRECT?

13 A. YES, MA'AM. THAT IS PART OF MY INVENTORY.

14 Q. AND WE, THE GOVERNMENT, REQUESTED THE USE OF THAT FOR
15 THIS PARTICULAR TRIAL; IS THAT CORRECT?

16 A. YES, MA'AM. YOU HAVE SIGNED FOR IT.

17 Q. OKAY. AND THAT IS THE JENNINGS BRYCO --

18 A. BRYCO JENNINGS 9-MILLIMETER, YES, MA'AM.

19 Q. OKAY. AND, AGAIN, YOU STATED THAT THAT MAGAZINE THAT
20 DETECTIVE ORR BROUGHT YOU ONLY FITS THAT GUN?

21 A. YES, MA'AM. WE TRIED IT -- I HAD ONE OF THESE IN THE
22 STORE AND TRIED IT ON THE SPOT.

23 Q. OKAY. AND IT WILL NOT FIT ANOTHER FIREARM?

24 A. NO, MA'AM.

25 Q. OKAY. NOW, TODAY EARLIER IN COURT WERE YOU SHOWN

1 GOVERNMENT'S EXHIBITS 13, 14, AND 15?

2 A. YES, MA'AM, I WAS.

3 Q. STARTING WITH GOVERNMENT'S EXHIBIT 13, CAN YOU TELL THE
4 JURY WHAT THAT IS, PLEASE?

5 A. IT'S A COIL SPRING. IT'S COMMONLY REFERRED TO AS AN
6 ELEVATOR SPRING. IT HOLDS THE SIGHT AND CAUSES IT TO GO UP
7 AND DOWN FOR ELEVATION.

8 THIS IS A MACHINE SCREW THAT HOLDS THE SIGHT TO
9 THE WEAPON.

10 AND THIS IS THE ACTUAL PHYSICAL SIGHT THAT GOES ON
11 TOP OF THE WEAPON.

12 Q. OKAY. LET ME RETRIEVE THOSE BACK FROM YOU, MR. KULISH,
13 AND TRY TO PUT THEM ON HERE.

14 THE COURT: ARE YOU OFFERING GOVERNMENT'S
15 EXHIBITS 13, 14 AND 15?

16 MS. BATSON: YOUR HONOR, I WILL WHEN SKYLER HERN
17 TESTIFIES; BUT RIGHT NOW IT'S JUST FOR IDENTIFICATION, THAT HE
18 CAN IDENTIFY THESE.

19 THE COURT: ALL RIGHT.

20 MS. BATSON: I'LL HAVE TO LINK IT UP LATER.

21 THE COURT: OKAY.

22 BY MS. BATSON:

23 Q. ALL RIGHT, MR. KULISH. THIS IS THE SPRING?

24 A. YES, MA'AM.

25 Q. AND THIS IS THE SCREW, AND THIS IS THE REAR SIGHT --

1 A. YES, MA'AM.

2 Q. -- IS THAT CORRECT?

3 OKAY. I BELIEVE YOU TESTIFIED EARLIER,
4 MR. KULISH, THAT THAT REAR SIGHT, THIS RIGHT HERE WHICH IS
5 GOVERNMENT'S EXHIBIT 15, IS ALSO SPECIFIC TO THAT TYPE OF
6 WEAPON.

7 A. YES, MA'AM. THE COMPANY MAKES THEIR OWN SIGHT FOR THEIR
8 OWN GUN. IT IS PROPRIETARY.

9 Q. OKAY. AND WHAT WAS YOUR TESTIMONY AGAIN, SIR, ABOUT THE
10 SCREW AND THE SPRING?

11 A. THE SCREW AND THE SPRING WERE MADE BY OUTSIDE VENDORS.
12 THEY BUY THEM BY THE GROSS; SO, THOSE ARE JUST A NORMAL
13 MACHINED SCREW AND JUST A NORMAL CUTOFF SPRING THAT -- THEY
14 DON'T MAKE THOSE. THAT'S NOT THEIR MANUFACTURE.

15 Q. OKAY. WHEN YOU SAY "THEY," WHO IS "THEY"?

16 A. JENNINGS BRYCO.

17 Q. OKAY. NOW, SO, THIS RIGHT HERE, THIS SIGHT AS WELL AS
18 THE MAGAZINE THAT YOU HAVE BEFORE YOU, THEY WILL ONLY GO TO
19 THAT JENNINGS BRYCO?

20 A. YES, MA'AM, ONLY. IT'S PROPRIETARY. IT ONLY FITS THEIR
21 GUN.

22 Q. ALL RIGHT. AND YOU HAD NOT SEEN THESE ITEMS BEFORE
23 TODAY; IS THAT CORRECT?

24 A. NO, MA'AM, NOT THOSE THREE PIECES.

25 Q. OKAY. AND IN LOOKING AT GOVERNMENT'S EXHIBIT 10, WHICH

1 IS THE FIREARM, MR. KULISH, CAN YOU SHOW THE JURY WHERE THE
2 REAR SIGHT IS ON THAT EXHIBIT?

3 A. THIS IS THE REAR SIGHT. THIS IS THE SMALL SCREW OFF TO
4 THE RIGHT UP THERE. THE SPRING THAT CAUSES THIS TO GO UP AND
5 DOWN IS LOCATED UNDER THE CENTER SCREW. YOU CAN'T SEE IT.
6 IT'S UNDERNEATH THE SIGHT PLATE.

7 Q. OKAY. AND IF WE TAKE THIS SIGHT RIGHT HERE AND YOU
8 COMPARE IT TO THE SIGHT THAT'S ON THE GUN THAT YOU PRODUCED
9 FROM YOUR INVENTORY, IS IT THE SAME?

10 A. IT'S IDENTICAL, YES, MA'AM.

11 MS. BATSON: YOUR HONOR, I BELIEVE THAT'S ALL I
12 HAVE RIGHT NOW.

13 THE COURT: ALL RIGHT. MR. HAWTHORN?

14 CROSS-EXAMINATION OF ROLAND KULISH

15 BY MR. HAWTHORN:

16 Q. MR. KULISH, I ONLY HAVE A COUPLE OF QUESTIONS. IS IT
17 BRYCO JENNINGS OR JENNINGS BRYCO?

18 A. JENNINGS BRYCO.

19 Q. OKAY. DO THEY MAKE OTHER TYPES OF FIREARMS?

20 A. YES, SIR, THEY DO, A WIDE RANGE.

21 Q. ALL RIGHT. DO THEY MAKE OTHER 9-MILLIMETER MODELS OTHER
22 THAN THAT?

23 A. NO, SIR.

24 Q. ARE ALL THE 9-MILLIMETER MODELS THEY MAKE EXACTLY LIKE
25 THAT?

1 A. YES, SIR.

2 Q. NO DIFFERENCE AT ALL?

3 A. IN THE TWO AND A HALF YEARS THAT I'VE HANDLED THE LINE,
4 I'VE NOT SEEN ONE VARIATION DIFFERENCE AT ALL IN THE
5 9-MILLIMETER.

6 A. OKAY.

7 Q. THEY'RE ALL SILVER?

8 A. NO, SIR. THEY MAKE A BLACK MODEL, AND THEY MAKE A HIGH
9 POLISHED CHROME.

10 Q. OKAY. SO, THERE IS A DIFFERENCE.

11 ARE THERE ANY OTHER MARKINGS ON IT THAT ARE
12 DIFFERENT?

13 A. NO, SIR. BE IT BLACK, CHROME, OR POLISHED LIKE THIS IS,
14 THEY ALL HAVE THE SAME SIMILAR MARKINGS.

15 Q. OKAY. THE STRUCTURE OF THE PISTOL IS ALWAYS THE SAME,
16 BUT THERE IS SOME DIFFERENCE IN COLORS.

17 A. YES, SIR. FINISH, ACTUALLY.

18 Q. FINISH. THERE IS A BLACK FINISH, A CHROME FINISH, AND A
19 SILVER FINISH?

20 A. YES, SIR.

21 Q. IS THAT ALUMINUM OR --

22 A. NO, SIR. THAT'S A COATING.

23 Q. A COATING?

24 A. YES, SIR. IT'S A NYTEX COATING THAT'S DONE OVER IRON,
25 STEEL.

1 Q. DO THEY EVER PAINT THE BARREL, PAINT THE FRONT OF THE
2 BARREL?

3 A. NO, SIR. NOT THAT I'VE EVER SEEN.

4 Q. YOU'VE NEVER SEEN --

5 A. A PAINTED BARREL, NO, SIR.

6 Q. -- A PAINTED BARREL?

7 A. NO, SIR.

8 Q. OKAY. AND YOU'VE SEEN HOW MANY OF THESE?

9 A. MAYBE 200.

10 Q. OKAY.

11 MR. HAWTHORN: THAT'S ALL I HAVE.

12 THE COURT: ALL RIGHT. MS. TRIPLETT?

13 CROSS-EXAMINATION OF ROLAND KULISH

14 BY MS. TRIPLETT:

15 Q. MR. KULISH, WHEN YOU TESTIFIED TO THE JURY THAT THAT
16 CLIP COMES FROM A 9-MILLIMETER JENNINGS BRYCO, YOU'RE
17 TESTIFYING THAT IT COMES FROM THAT PARTICULAR MAKE AND MODEL.
18 YOU CAN'T TESTIFY WHICH GUN IT CAME FROM.

19 A. ABSOLUTELY NOT.

20 Q. ALL RIGHT. AND, IN FACT, JENNINGS BRYCO MAKES MANY OF
21 THAT PARTICULAR MODEL OF WEAPON, CORRECT?

22 A. WELL, YES, MA'AM. THIS HAPPENS TO BE SERIAL NUMBER
23 1459723.

24 Q. SO, IT'S A VERY POPULAR WEAPON?

25 A. YES, MA'AM.

1 Q. AND THEY SELL SOMEHOW THOUSANDS OF THAT WEAPON?

2 A. ABSOLUTELY. IT'S VERY POPULAR.

3 Q. AND YOU CARRY THAT WEAPON IN YOUR SHOP?

4 A. YES, MA'AM.

5 Q. AND YOU SELL A LARGE QUANTITY OF THAT WEAPON AS WELL?

6 A. I SELL -- I SELL MY SHARE, YES, MA'AM. IT'S A GOOD
7 SELLER. IT'S PRICED RIGHT.

8 Q. AND THAT'S JUST IN THE BEAUMONT AREA WHERE YOU SELL?

9 A. YES, MA'AM.

10 Q. AND THERE ARE OTHER DEALERS IN THE BEAUMONT AREA THAT
11 SELL THAT WEAPON?

12 A. YES, MA'AM.

13 Q. ALL RIGHT. AND ARE YOU FAMILIAR WITH HOUSTON?

14 A. PRETTY MUCH SO, YES. THAT'S A TOWN THAT'S HANDGUN
15 CONSCIOUS, TOO.

16 Q. ALL RIGHT. AND THEY SELL MAYBE HUNDREDS OR THOUSANDS OF
17 THAT WEAPON IN HOUSTON AS WELL?

18 A. I'M SURE.

19 Q. ALL RIGHT. SO, THE BEST THAT YOU CAN TESTIFY IS THAT
20 THOSE ITEMS CAME FROM ONE OF THE MANY THOUSANDS OF THAT WEAPON
21 SOMEWHERE IN THE UNITED STATES MAYBE?

22 A. YES, MA'AM.

23 Q. ALL RIGHT. AND YOU SAID THAT DETECTIVE ORR CAME TO
24 SPEAK TO YOU ABOUT THIS PARTICULAR WEAPON. AND I ASSUME
25 EITHER HE OR THE PROSECUTOR ASKED YOU TO COME DOWN AND TESTIFY

1 TODAY.

2 A. YES, MA'AM.

3 Q. ALL RIGHT. AND IS THAT SOMETHING REGULAR THAT THEY DO
4 WITH YOU?

5 A. I HAVE GONE ON THE WITNESS STAND IN PRIORS, YES, MA'AM.

6 Q. CAN YOU GIVE US AN ESTIMATE?

7 A. OH, FOUR TIMES.

8 Q. FOUR TIMES?

9 A. YES, MA'AM, MOSTLY IN STATE. THIS IS MY FIRST FEDERAL.

10 Q. OKAY. AND WOULD THAT BE IN THE LAST YEAR OR --

11 A. NO, MA'AM, IN THE LAST 20 YEARS.

12 Q. TWENTY YEARS?

13 A. UH-HUH.

14 MS. TRIPLET: NO FURTHER QUESTIONS, YOUR HONOR.

15 MS. BATSON: I JUST HAVE A COUPLE, YOUR HONOR.

16 THE COURT: ALL RIGHT.

17 REDIRECT EXAMINATION OF ROLAND KULISH

18 BY MS. BATSON:

19 Q. MR. KULISH, YOU MADE A COMMENT THAT THIS GUN SELLS A LOT
20 AND IT'S PRICED RIGHT.

21 A. YES, MA'AM.

22 Q. ABOUT HOW MUCH WOULD THIS GUN RUN?

23 A. \$150.

24 Q. AND IS THAT PRETTY CHEAP FOR A FIREARM?

25 A. YES, MA'AM. WHEN YOU -- YES, MA'AM. THAT'S QUITE AN

1 ATTRACTIVE PRICE POINT.

2 Q. OKAY. WHAT'S THE MOST EXPENSIVE GUN?

3 A. WELL, YOU CAN -- YOU CAN GILD A LILLY. BUT LET'S JUST
4 SAY A GERMAN SIG WILL RUN YOU CLOSE TO 700. A GLOCK WILL RUN
5 YOU 5. A RUGER WILL RUN YOU 3. A COLT WILL RUN YOU 4 TO 5,
6 ALL DEPENDING ON TRAPPINGS, HOW FANCY THEY ARE. IT'S LIKE A
7 CAR.

8 Q. OH, OKAY. ALL RIGHT. SO, BETWEEN MAYBE 3 AND \$700,
9 THAT'S ABOUT WHAT MAYBE SOME OF YOUR STOCK IS AT THE STORE?

10 A. ABSOLUTELY.

11 Q. OKAY. AND, SO, THIS IS \$150?

12 A. YES, MA'AM.

13 Q. OKAY.

14 A. NOT EVERYONE CAN AFFORD 700-DOLLAR GUNS.

15 Q. YES, SIR. I UNDERSTAND.

16 OKAY. NOW, YOU WERE QUESTIONED ABOUT IF THERE WAS
17 PAINT ON A BARREL.

18 A. YES.

19 Q. AND YOU STATED THAT YOU HAD NEVER SEEN ANY PAINTED
20 BARRELS?

21 A. NO, MA'AM.

22 Q. OKAY. SO, IF ANY PART OF THIS BARREL WAS PAINTED, IT
23 WOULD HAVE HAD TO HAVE BEEN DONE LATER?

24 A. YES, MA'AM.

25 Q. BY SOMEONE ELSE OTHER THAN THE MAKER?

1 A. RIGHT.

2 Q. OKAY. NOW, MR. KULISH, AGAIN, JUST TO SHOW THAT THIS
3 SIGHT MATCHES THIS GUN -- [DEMONSTRATING]. OKAY?

4 A. YES, MA'AM.

5 Q. AND, AGAIN, THIS SIGHT ONLY COMES ON THIS FIREARM?

6 A. YES, MA'AM.

7 Q. OKAY. AS WELL AS THAT MAGAZINE THAT'S BEFORE YOU?

8 A. YES, MA'AM.

9 MS. BATSON: I HAVE NOTHING ELSE, YOUR HONOR.

10 THE COURT: AS WELL AS THE MAGAZINE THAT'S BEFORE
11 YOU? I DIDN'T HEAR YOUR ANSWER.

12 THE WITNESS: YES. YES, SIR. IT'S PROPRIETARY
13 ONLY TO THAT COMPANY.

14 THE COURT: OKAY.

15 MS. BATSON: I HAVE NOTHING FURTHER.

16 THE COURT: MR. HAWTHORN?

17 MR. HAWTHORN: IS GOVERNMENT'S EXHIBIT 10 IN
18 EVIDENCE, YOUR HONOR?

19 THE COURT: I DON'T BELIEVE SO.

20 MS. BATSON: WE WILL OFFER THAT RIGHT NOW,
21 YOUR HONOR. THIS IS FROM MR. KULISH'S INVENTORY AND HE HAS
22 TESTIFIED WHAT WE NEEDED HIM TO ABOUT THE FIREARM; SO, WE ARE
23 ASKING TO ADMIT GOVERNMENT'S EXHIBIT 10.

24 THE COURT: ANY OBJECTION TO GOVERNMENT'S
25 EXHIBIT 10, MR. HAWTHORN?

1 MR. HAWTHORN: NO, SIR.

2 THE COURT: MS. TRIPLETT?

3 MS. TRIPLETT: NO OBJECTION, YOUR HONOR.

4 THE COURT: GOVERNMENT'S EXHIBIT 10 IS ADMITTED.

5 MS. BATSON: THANK YOU, YOUR HONOR.

6 RECROSS-EXAMINATION OF ROLAND KULISH

7 BY MR. HAWTHORN:

8 Q. MR. KULISH, WE HAD TALKED EARLIER ABOUT THE DIFFERENCE
9 IN THIS SCREW HERE.

10 A. ARE YOU TALKING ABOUT THE HEAD SIZE OF THE SCREW?

11 Q. YES, SIR.

12 A. UH-HUH.

13 Q. AND, SO, WE DID NOT TAKE THIS SCREW OUT OF THE GUN TO
14 CHECK THE THREADS.

15 A. NO, SIR.

16 Q. BUT YOU'RE CONFIDENT THAT THE THREADS WOULD MATCH?

17 A. YES, SIR.

18 Q. HOWEVER, WHAT WE DID DO -- AND WE CAN'T SEE IT ON THIS,
19 BUT WE COMPARED THE HEADS OF THESE SCREWS. AND AT LEAST THE
20 HEADS OF THE SCREWS ARE A DIFFERENT SIZE, ARE THEY NOT?

21 A. YES, SIR, THAT'S TRUE.

22 MR. HAWTHORN: OKAY. THAT'S ALL I HAVE,
23 YOUR HONOR.

24 THE COURT: ALL RIGHT. MS. TRIPLETT?

25 MS. TRIPLETT: NOTHING FURTHER, YOUR HONOR.

1 THE COURT: OKAY. ANYTHING ELSE, MS. BATSON?

2 MS. BATSON: JUST ONE THING.

3 FURTHER REDIRECT EXAMINATION OF ROLAND KULISH

4 BY MS. BATSON:

5 Q. MR. KULISH, THAT SIGHT IS AN ADJUSTIBLE SIGHT; IS THAT
6 CORRECT?

7 A. YES, MA'AM.

8 Q. OKAY. JUST TELL THE JURY WHAT THAT MEANS.

9 A. "ADJUSTABLE SIGHT" MEANS THAT YOU MOVE THE SIGHT UP AND
10 DOWN TO CHANGE THE IMPACT OF THE BULLET, WHERE YOU WANT THE
11 BULLET TO HIT.

12 Q. OKAY.

13 MS. BATSON: NOW I THINK THAT'S ALL I HAVE.

14 THE COURT: NOTHING FURTHER?

15 OKAY. IS MR. KULISH EXCUSED, THEN?

16 MS. BATSON: YES, SIR.

17 [CONCLUSION OF EXCERPTED PORTION]

18 COURT REPORTER'S CERTIFICATION

19 I HEREBY CERTIFY THAT THE FOREGOING IS A CORRECT
20 TRANSCRIPT FROM THE RECORD OF PROCEEDINGS.

21 
22 CHRISTINA L. BICKHAM, CRR, RPR

NOVEMBER 19, 2001

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